

UNITED STATES OF AMERICA,)
)
vs.)
)
JONTAVEIS LATWAN JOHNSON,) **ORDER**
)
Defendant.)
)

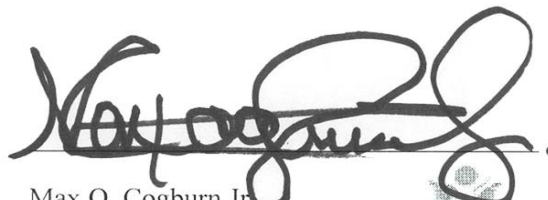
U.S.C. § 841(a)(1). (Doc. No. 3 at 2–3, Doc. 49 ¶¶ 1, 3). One of those offenses involved 22 grams of crack; the other involved 37 grams of crack. (Doc. No. 49 ¶¶ 9, 11). This Court sentenced Defendant in March of 2013 to 188 months in prison. (Doc. No. 59 at 2). Applying the Fair Sentencing Act, this Court determined that Defendant was subject to a statutory maximum sentence of 20 years for the 22-gram transaction and to a sentencing range of between 5 and 40 years in prison for the 37-gram transaction. (Doc. No. 49 ¶ 67; Doc. No. 60 at 1; see also 21 U.S.C. § 841(b)(1)(B) (2010) (providing for a statutory range of between 5 and 40 years in prison for an offense involving at least 28 but less than 280 grams of crack cocaine)).

Defendant received the benefit of the lower statutory sentencing range applicable to a drug trafficking offense involving 28 grams of crack cocaine provided in the Fair Sentencing Act. Under section 404(c) of the First Step Act, therefore, he is not eligible for a reduction in his sentence.

ORDER

IT IS, THEREFORE, ORDERED that Defendant’s pro se Motion to Reduce Sentence Pursuant to First Step Act of 2018, (Doc. No. 85, 86), is **DENIED**.

Signed: April 2, 2021



Max O. Cogburn Jr.
United States District Judge